

02-28-03

Date of Deposit: February 26, 2003

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**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Commissioner for Patents

Box CPA

Washington, DC 20231

Attorney Docket No.
of Prior Application

11320/6

First Named Inventor

Miles B. Brennan

Examiner Name

Seharaseyon, Jegatheesan

Group/Art Unit.

1647

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This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09/458,579, filed December 9, 1999, entitled Methods of Identifying Compounds Useful for the Regulation of Body Weight and Associated Conditions.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific request required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☒ Enter the unentered amendment previously filed on November 25, 2002 under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

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01 FC:2006

375.00 OP

Page 2 of 2

02/28/2003 JBALINAH 00000153 09458579

01 FC:2201

84.00 OP

Page 02 of 01

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|----------------------------------------------------------------------------------|------------------|------------------|------------------------------------|------------------|
| | TOTAL CLAIMS (37 C.F.R. § 1.16(c)) | 20 - 20 = | 0 | x \$ 18.00 | \$0 |
| | INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b)) | 5 - 3 = | 0 | 2x \$ 84.00 | 168 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d)) | | | + \$ 280.00 | |
| | | | | BASIC FEE (37 C.F.R. § 1.16(a)) | 750 |
| | Total of above Calculations = | | | | 918 |
| | Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). | | | | 459 |
| | TOTAL = | | | | \$ 459 |

6. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to

Deposit Account No: 23-1925

- a. ☐ Fees required under 37 C.F.R. § 1.16.
- b. ☐ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18.
8. ☒ A check in the amount of \$ 459 is enclosed.
9. ☒ Other: _____.



The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.



I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

NOTE:

***The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided.***

| 10. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | |
|---------------------------------------------------------|----------------------------------|
| NAME | John Murray |
| SIGNATURE | <i>John Murray</i> |
| Registration No. | 44,251 |
| DATE | FEBRUARY 26 TH , 2003 |

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610